TUMKUR DISTRICT.

Notification No. A3-621—28-29, dated 28th August 1928.

The right to collect tolls at the toll-gates as noted in Schedules A and B from 1st October 1928 to 30th June 1929, will be resold by public auction at the places and on the dates specified against each gate, as the original contract is cancelled the contractor having defaulted payment.

2. Persons intending to bid at the sale must attend in person or by a duly accredited agent. Intending purchasers may also apply submitting tenders. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders and tenderers except the first two or three whose bids are to be recommended for acceptance, will be returned at the close of the sale. The deposit of the successful bidder or tenderer who will be called the contractor, will be returned only on fulfilment of the contract. The deposits of the remaining bidders or tenderers will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A, who reserves, the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered.

3(*a*) Gates remaining unsold at the first auction will be disposed of by tender or otherwise at the discretion of the Deputy Commissioner later on.

4. The successful tenderer shall, within fifteen days of the receipt of information of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and when he does not hold property in Mysore, shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract and if he is a non-resident foreigner he shall be deemed to have agreed to submit himself to the jurisdiction of the Civil Courts in Mysore and to be bound by any decree, *ex-parte* or otherwise, that may be passed against him by such Courts for any sums due in respect of the contract amount.

5. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Deputy Commissioner.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the first day of every month into the Taluk Office. The contractor shall also pay along with the instalments, the authorised local, railway and educational cesses, if any at the prescribed rates.

7. Fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and orders approved by Government shall be kept at the credit of the contractor and adjusted in account towards the last instalment or instalments as the case may be.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The amount due from the contractor or his sureties shall be recoverable as if they were arrears of land revenue under the provisions of the Land Revenue Regulation and the rules thereunder.

10. The contractor shall collect tolls only at the rates and at the gates on the traffic specified in Schedules A and B.

11. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

12. The contractor shall keep at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Deputy Commissioner, the Assistant Commissioner and the Amildar. He shall, if required by the Deputy Commissioner, furnish to the Taluk Office, at the end of every month a true return for the month showing the traffic passing through the gate in a prescribed form.

13. The contractor will have the use of the existing toll-house and gate without payment of any rent, and he should keep them in good repair failing which, the cost of repair will be recovered from the contractor.

14. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

15. The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll-gate a book, wherein travellers may record complaints, and forward true extracts thereof once a week to the Amildar.

16. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated the 4th November 1876, as revised from time to

time. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned below :—

(*a*) A table of authorised tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate, together with a copy of these rules.

(*b*) (1) No more than one payment of toll shall be demanded at any one toll-bar, gate or station in respect of any carriage or cart in any one period of 24 hours.

(2) No toll should be levied at a frontier toll-gate in Mysore on any cart, etc., passing the gate if within a period of 24 hours a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British authorities.

Payment of toll at any one of the toll-gates, *viz.*, Chandrabhavi Rajayanti will exempt from payment at the other within a period of 24 hours.

(*c*) Carts laden with manure or other substance used as manure, shall be exempt from payment of toll at all the interior toll-gates and shall pay at the rate prescribed for unladen carts at all the frontier toll-gates; provided that no toll shall be levied on carts belonging to agriculturists residing within 5 miles of the toll-gates when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the patel or Chairman of the Village Panchayet of the village to which the cart belongs.

(*d*) No toll shall be levied on foot passengers.

(*e*) No tolls shall be levied for the passage of troops or Military Stores or equipages or of Police Officers in uniform on duty or of any person or property in their custody or of any property *bona fide* belonging to Government, the proof of which should be established by a production of a pass or certificate from any officer of the department to which the property belongs, such officer being duly authorised by the Deputy Commissioner or by Government to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the cart or carriage conveying such property before it reaches the destination noted in such pass or certificate.

(*f*) No toll shall be levied for the passage of carriages or carts, etc., at any toll-gate if they belong to a Local Board or Municipal Council, the proof of which is to be established by the production of a certificate signed by the President of such body or by such officer as may be authorised by the Government.

(*g*) No toll shall be levied for the passage of carriages or carts, etc.—

(1) If they belong to His Highness the Maharaja or His Highnees the Yuvaraja;

(2) they belonging to the Hon'ble the British Resident in Mysore; and his staff *viz.*, Secretary to the Resident, the Residency Surgeon, and the Personal Assistant to the Resident;

(3) they belong to the Dewan of Mysore;

(4) they are enggged by the Postal Department exclusively to carry Mails;

(5) they belong to person who has compounded with the proper authority in accordance with the rules framed by Government; and

(6) they convey British Military Officers in uniform passing on duty.

Note.—(*a*) To entitle an officer to pass a toll-gate without payment as being 'on duty' he must fulfil one of the following conditions:—

(i) be travelling in a staff car.

(ii) wear uniform.

(*b*) Officers passing toll-gates on duty otherwise than in uniform will enter in a book kept by the toll-gate keeper for the purpose, their rank name and nature of duty on which they are travelling.

(7) they belong to the Heads of Matts who hold a Rahadari issued by a competent authority.

(*h*) No toll shall be levied on any conveyance used for ambulance purposes.

17. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due not being paid within the prescribed date, it shall be competent to the Deputy Commissioner to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor, who shall be liable to make good all losses accruing but shall not be entitled to any profits arising from the resale.

18. The imposition of fine or resale or the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

SCHEDULE A.

(1 & 2) Name and situation of the toll-gates, Tumkur District.

Name of toll-gate	Situation of the gate	Mile
1. Pavagada-Madakasira Road ...	At Rajavanti	5/55
2. Madhugiri-Madakasira Road ...	Chandrabhavi out-post	6/45

(3) Whether toll is to be levied on through traffic, in-coming traffic or out-going traffic.	All traffic passing through the toll-gate.
(4) Traffic specially expected from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gates.	Exceptions given in para 16 of the sale notification.
(5) Amount of deposit required.	(1) 147
Do do	(2) 560
(6) Place of sale	1 & 2 at Pavagada Taluk Office.
Do	1 & 2 at Mudhugiri Taluk Office.
(7) Date of sale	1 & 2 on 14th September 1928.
(8) Officer conducting the sale	Assistant Commissioner Maddagiri Sub-Division.
(9) Officer confirming the sale	Revenue Commissioner in all cases.
(10) Remarks	The limits of the toll-gate will be demarcated.

SCHEDULE B.

No.	*Particulars.*	*Amount.* Rs. a. p.
1.	(*a*) On every four-wheeled motor vehicle constructed to carry less than ten persons	1 0 0
	(Composite fee in respect of the above) per annum ..	200 0 0
	(*b*) On every other four-wheeled motor vehicle	2 0 0
	(Composite fee in respect of the above) per annum ...	400 0 0
2.	On motor cycles with or without side-car	0 4 0
3.	On every four-wheeled carriage	0 8 0
4.	Do two-wheeled carriage on springs other than a jutka or ekka	0 4 0
5.	Do ekka or jutka, laden	0 2 0
6.	Do ekka or jutka unladen	0 1 0
7.	Do other vehicle on springs including tricycle and bicycle	0 2 0
8.	Do cart or other vehicle, drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden...	1 0 0
9.	Do do do if not laden	0 8 0
10.	Do cart or other vehicle drawn by six bullocks, buffaloes horses, ponies, asses or mules, if laden ...	0 8 0
11.	Do do do if not laden	0 4 0
12.	Do cart or other vehicle drawn by four bullocks, buffaioes, horses, ponies, asses or mules, if leden..	0 6 0
13.	Do cart or other vehicle drawn by four bullocks, horses, buffaloes ponies, asses or mules, if not laden ..	0 3 0
14.	Do cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if ladrn ...	0 4 0
15.	Do do do if not laden ...	0 2 0
16.	Do cart or other vehicle drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden ...	0 2 0
17.	Do do do if not laden ...	0 1 0

S. KUPPUSWAMI IYER,
For *Deputy Commissioner.*